

CHAP. 623. or greater than thirty feet wide, and shall determine the width of any new road in the commission issued to the examiners to report on such new road. All new roads shall be well drained and graded, and it shall be the duty of the County Commissioners to reject all such roads if not put in the most complete order; and they may make at any time such further rules and regulations as they may deem necessary for the better keeping of public roads in said county not inconsistent with the sub-title of this Article or of the Public General Laws.

Authority to
condemn, lay
out, open,
etc.,
new roads,
etc.

123. The County Commissioners of Wicomico county shall have the power, by ordinance or resolution, of condemning, laying out, opening, extending and making new roads, and for altering, straightening, widening, grading, improving or closing up in whole or in part any existing road, and for removing trees, posts and other obstructions, and for laying out public drains, water courses and public landings on any navigable waters in Wicomico county, when in their opinion the public necessity or convenience require the same, without any previous application or petition. The County Commissioners may contract with the owner or owners of the land for the purpose of laying out, opening, extending and making new roads, and for altering, straightening, widening, grading, improving or closing up in whole or in part any existing road, or for a public drain or public landing for the right of way over the land necessary for any said road or for land for public drains and public landings if he, she or they be competent to contract; and in case the said County Commissioners shall so contract, they shall cause a plat of the said road to be made by a competent surveyor and filed and recorded in the office of the clerk of the Circuit Court for Wicomico County, with the deed or deeds conveying the land so acquired, which plat shall be referred to in and shall be a part of said deed or deeds, and the lands so conveyed shall be and become thenceforth the property of Wicomico county, and be subject to the purposes and uses for which granted. If, however, the County Commissioners aforesaid shall proceed by condemnation in the exercise of the powers herein granted, all benefits or damages done, suffered or incurred by the laying out, opening and making of new roads, or by altering, straightening, widening, grading, improving or closing up, in part or in whole, any existing road, or laying out public drains, water-courses or landings, shall be determined or assessed by three disinterested persons, freeholders and residents of Wicomico county and above the age of twenty-one years, who shall be appointed by the County Commissioners aforesaid, and shall, within ten